



Employee Status

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| Section: Human Resources | Attachment(s): |
| Policy #: | |
| Effective Date: | |
| Adoption Date: 04/24/1997 | |
| Prior Employee Status Revision Dates: 09/08/2005, 12/05/2013, 11/16/2017, 10/29/2019 | |
| Prior Change in Employment Status Dates: Adopted 04/24/1997; Revised: 09/08/2005 | |
| Prior Regular Part-Time Employee Compensation: Adopted 04/24/1997; Revised 09/09/2005 | |
| Issuing Department: Centre County Human Resources | |
| Responsible Officer: Human Resources Director | |
| Required Review Period: | |

Section 1: Policy Statement

Centre County Government has established classifications to identify employee status for the purpose of employment and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Section 2: Overview

Each County employee has three (3) classifications for employment status based on different factors:

1. Service and Performance:
 - Probationary Status
 - County Status
2. Position Hours:
 - Full time
 - Part time
 - On-call/Occasional
 - Seasonal
 - Temporary/Substitute/Interim
 - Fee For Service
3. Fair Labor Standards Act (FLSA)
 - Exempt
 - Non-Exempt

Section 3: Provisions

1. Service and Performance Classifications

a. Probationary Status

A probationary status provides for employees a period of training, support, and close feedback. It allows for the department to monitor the employee's performance and provide guidance to be successful in the position. The probationary period after a transfer differs from the probationary period upon initial appointment or rehire.

Initial Appointment: All regularly assigned employees are appointed to a probationary status for a period of six (6) months from hire date, depending on the assigned position. If the work performance and/or work behavior of the employee does not meet the requirements of the position as determined by the department head during the probation period, the County reserves the right to terminate the employee without notice or extend the probationary period.

Transfer: The first four (4) months in a new position the employee will be considered on probationary status. However, transferred employees may use accumulated sick and vacation time during this period with supervisory approval. An employee should be aware that it is necessary to satisfactorily meet the new position's performance expectations and standards, as established by the department, during the probationary period. The employee's work habits and performance will be monitored throughout the probationary period and if the employee fails to meet these expectations, they may be separated from employment or have the probationary period extended.

b. County Status Employee

Upon successful completion of the probationary period after initial appointment, the employee will be granted County status. County status employees are eligible to use accumulated sick and vacation time with supervisory approval.

2. Position Hour Classifications.

a. Full-Time

Appointed to a position budgeted for thirty (30) or more hours per week. Employees in this category are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefit program.

b. Part-Time

Appointed to position budgeted for less than thirty (30) hours per week on a regularly scheduled shift. Part time employees are eligible for some of the benefits offered by the County, subject to the terms, conditions, and limitations of each benefit program. Employees in this category will be paid an hourly rate and will receive pro-rated vacation leave, sick leave, holidays, and service time. Employees who are assigned one-thousand (1000) hours or more annually will be enrolled in the Retirement System.

c. On-Call / Occasional

Appointed to fill in day-to-day or long term to replace a regular employee on sick, vacation, other approved leave, or for periodic work assignments. Employees in on-call occasional positions who work at least 1,000 hours in any calendar year shall be eligible to purchase retirement system service time. No other benefits are authorized for this employment category.

d. Seasonal Employees

Employees appointed to complete a time based work assignment which, from its nature, may not be continuous or carried on throughout the entire year. Employees in seasonal positions who are budgeted to work at least 1000 hours in any calendar year shall be eligible to purchase retirement system service time. No other benefits are authorized for this employment category.

e. Temporary/Substitute/Interim

Employees appointed to a position having an approved starting and ending date not to exceed six (6) months will be paid only for the hours actually worked. An employee in this category is not eligible for any County benefits, unless they have been continuously employed in the same position as a full-time employee for at least six (6) months. No County status and no merit increments will be granted to persons in this category.

f. Fee-for-Service

An individual hired as an independent contractor and providing a specified service under a contractual arrangement is not an employee and is not eligible to participate in County benefits. The contractor's Federal I.D. number must be provided before a contract can be approved by the County Commissioners.

3. Fair Labor Standards Act Classifications -- Exempt and Non-exempt

In accordance with the Fair Labor Standards Act (FLSA), status of exempt and non-exempt positions is identified on each of the County's approved job descriptions. The Human Resources Office will maintain a list of these exempt and non-exempt positions.

- a. **Exempt employees** are exempt from the minimum wage and overtime provision of the FLSA. Exempt employees meet the standards and criteria established under the FLSA by the U.S. Department of Labor.
- b. **Non-exempt employees** are employees who are not exempt from the law's requirements concerning minimum wage and overtime.

Section 4: Procedures

a. Move to County Status

Human Resources will communicate with the department head to confirm successful completion of the probationary period. Upon successful completion of the probationary period the employee will be granted County status.

b. Change in Status

When an employee has a change in hours their status will change based on the number of hours their new position is scheduled and/or budgeted for.

Employees who change their status from full-time with full-time benefits to less than full-time without benefits, will, upon return to full-time status, have all benefits restored as though they were new employees.

In accordance with the County Pension Law, the above mentioned full-time employees may buy back the withdrawn service for retirement purposes by repaying into the fund the same amount of money as that

withdrawn. No employee may buy retirement service time for periods of employment covered by any agreement which superseded the retirement law.

Employees transferring to on-call status from regular assignment will be compensated for all accumulated but unused vacation time, and for accumulated but unused sick leave at 50% of the accumulation to a maximum of thirty (30) days.

c. FLSA Status

Exempt or non-exempt status, is determined based on the job duties of the position. Standards and criteria set in the FLSA establish what is required for each status.

Section 5: Definitions

The Fair Labor Standards Act (FLSA): establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The Wage and Hour Division (WHD) of the U.S. Department of Labor (DOL) administers and enforces the FLSA with respect to private employment, State and local government employment, and Federal employees of the Library of Congress, U.S. Postal Service, Postal Rate Commission, and the Tennessee Valley Authority

Transfer: Changing positions for a lateral move, promotion, department change, job change, or demotion. A change in job title, reporting structure, change in responsibilities, or any modification to a current position is not considered a transfer.

Section 6: Related Policies:

Hours of Work Policy

Calculation of Compensation Policy

Repealer and Severability:

All prior policies and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect.

If any section, clause, sentence, provision, or any part of this policy is held to be invalid or unconstitutional, the remaining sections, clauses, sentences, or parts not included therein, will remain in full force.

Exception to this policy may only be granted by the Board of Commissioners.

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